

Anticipated Classification
of this Application:
Class _____ Subclass _____

Prior Application:
Examiner A. M. Falk
Group Art Unit 1632

Attorney's
Docket
No 2671/60435-AA/IPW/
MML

Mail Stop: Patent Application
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 30, 2003

03916 U.S. PTO
10/674598
093003

S I R:

This is a request for filing a X CONTINUATION

 DIVISIONAL CONTINUATION-IN-PART application under
X 37 C.F.R. §1.53(b) 37 C.F.R. §1.53(d)¹, of pending prior application
Serial No. 09/643,334 filed on August 22, 2000 of
Edmund La Gamma et al. Inventor(s) _____ for

METHOD OF PRODUCING GENETICALLY MODIFIED ASTROCYTES AND USES THEREOF
Title of Invention _____

1. X Enclosed is a copy of the prior application, as originally
filed and an affidavit or declaration verifying it as a
true copy.
2. X A verified statement to establish small entity status under
37 C.F.R. §1.9 and 1.27
 is enclosed.
X was filed in the prior application and such status
is still proper and desired (37 C.F.R. §1.28(a)).
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

| | NUMBER FILED | | NUMBER EXTRA* | | RATE | | FEE | |
|---|-----------------|---|------------------|---|-----------------|-----------------|-----------------|-----------------|
| | | | | | SMALL ENTITY | OTHER ENTITY | SMALL ENTITY | OTHER ENTITY |
| Total Claims | 10-20 | = | 0 | X | 9 | 18 | = \$ 0 | \$ |
| Independent Claims | 1-3 | = | 0 | X | 42 | 84 | = \$ 0 | \$ |
| Multiple Dependent Claims Presented: <u> </u> Yes <u>X</u> No | | | | | 140 | 280 | = \$ 0 | \$ |
| | | | | | BASIC FEE | | \$ 375 | \$ |
| | | | | | TOTAL FEE | | \$ | \$ |

*If the difference in Col. 1 is
less than zero, enter "0" in
Col. 2.

¹ Filing an application pursuant to this section expressly abandons the
parent application.

Page 2

4. X The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X Any additional filing fees required under 37 C.F.R. §1.16.
- X Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fee set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5. X Three copies of this sheet are enclosed.
6. X A check in the amount of \$ 375.00 is enclosed.
7. Cancel claims .
8. Amend the specification by inserting before the first line the sentence: --This is a continuation division of application Serial No. , filed .
9. X 14 Sheet(s) of informal X formal drawing(s) is/are enclosed.
10. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. Priority of application No. filed on in (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No. , filed .
12. X The prior application is assigned of record to The Research Foundation of State University of New York.
13. X A preliminary amendment is enclosed.
14. X The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Elizabeth M. Wieckowski (Reg. No. 42,226); Pedro C. Fernandez (Reg. No. 41,741); and Gary J. Gershik (Reg. No. 39,992)

Page 3

- (a) _____ Th power appears in the original papers in the prior application.
- (b) _____ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:
(May only be completed by applicant,
or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, NY 10036

15. X Also enclosed One set of Formal Drawings and Express Mail

Certificate of Mailing bearing label No.EV 325 704 851 US and a copy of the Declaration and Power of Attorney and Assignment.

16. X I hereby verify that the attached papers are a true copy of prior application Serial No. 09/643,334 as originally filed on August 22, 2000.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

September 30, 2003

Dat

Signature

John P. White

Reg. No. 28,678

INVENTOR(S)

ASSIGNEE OF COMPLETE INTEREST

 X

ATTORNEY OR AGENT OF RECORD

FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

John P. White

Cooper & Dunham LLP

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New York, NY 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Edmund F. La Gamma et al.
Serial No. : Not Yet Known (Continuation Application of
U.S. Serial No. 09/643,334)
Filing Date : September 30, 2003
For : METHOD OF PRODUCING GENETICALLY MODIFIED
ASTROCYTES AND USES THEREOF

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New York, New York 10036
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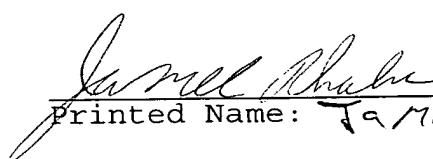
SIR:

**EXPRESS MAIL CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION**

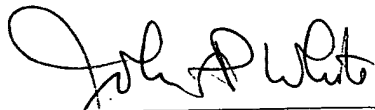
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Date of Deposit: September 30, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Mail Stop: Patent Application, Commissioner of Patents, P.O. Box: 1450, Alexandria, VA 22313-1450.


Printed Name: Samuel A. LaGamma

Respectfully submitted,


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